

HOUSE OF REPRESENTATIVES
Roll Call
NATURAL RESOURCES COMMITTEE

DATE: 3-21-07

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/ EXCUSED</u>
REP. WALTER MCNUTT, CHAIR	✓	
REP. RALPH HEINERT, VICE CHAIR	✓	
REP. RON ERICKSON, VICE CHAIR	✓	
REP. DUANE ANKNEY	✓	
REP. DEBBY BARRETT	✓	
REP. JILL COHENOUR	✓	
REP. SUE DICKENSON	✓	
REP. BETSY HANDS	✓	
REP. GORDON HENDRICK	✓	
REP. CAROL LAMBERT	✓	
REP. SCOTT MENDENHALL	✓	
REP. JP POMNICHOWSKI	✓	
REP. JOHN ROSS	✓	
REP. VERONICA SMALL-EASTMAN	✓	
REP. KENDALL VAN DYK	✓	
REP. CHAS VINCENT	✓	



HOUSE STANDING COMMITTEE REPORT

March 22, 2007

Page 1 of 1

Mr. Speaker:

We, your committee on **Natural Resources** recommend that **Senate Bill 178** (third reading copy -- blue) be concurred in.

Signed: *Walter McNutt*
Representative Walter McNutt, Chair

To be carried by Representative Jon Sesso

- END -

Committee Vote:

Yes 16, No 0

Fiscal Note Required ____

610905SC.hjd

jbn
3/22/07



HOUSE STANDING COMMITTEE REPORT

March 22, 2007

Page 1 of 1

Mr. Speaker:

We, your committee on **Natural Resources** recommend that **Senate Bill 248** (third reading copy -- blue) be concurred in.

Signed: *Walter McNutt* Chair
Representative Walter McNutt, Chair

To be carried by Representative Walter McNutt

- END -

Committee Vote:

Yes 16, No 0

Fiscal Note Required ____

610906SC.hjd

jbm
3/22/07



HOUSE STANDING COMMITTEE REPORT

March 22, 2007

Page 1 of 1

Mr. Speaker:

We, your committee on **Natural Resources** recommend that **Senate Bill 51** (third reading copy - blue) be concurred in as amended.

Signed: *Walter McNutt* Chair
Representative Walter McNutt, Chair

To be carried by Representative Sue Dickenson

And, that such amendments read:

1. Title, line 7.

Following: "THAT"

Insert: "LOCAL"

2. Title, line 8 through line 12.

Strike: "REQUIRING" on line 8 through "REGULATIONS;" on line 12

3. Title, line 14 through line 15.

Strike: "REQUIRING" on line 14 through "HAZARDS;" on line 15

4. Title, line 16.

Strike: "76-3-504,"

5. Page 4, line 16 through page 7, line 27.

Strike: section 3 in its entirety

Renumber: subsequent sections

6. Page 8, line 8 through line 22.

Strike: sections 5, 6, and 7 in their entirety

Renumber: subsequent sections

- END -

Committee Vote:

Yes 15, No 1

Fiscal Note Required ____

610907SC.hjd

3/22/07
jbn



HOUSE STANDING COMMITTEE REPORT

March 22, 2007

Page 1 of 4

Mr. Speaker:

We, your committee on **Natural Resources** recommend that **Senate Bill 145** (third reading copy -- blue) be concurred in as amended.

Signed: 
Representative Walter McNutt, Chair

To be carried by Representative Ralph Heinert

And, that such amendments read:

1. Title, line 16.

Following: "WILDFIRE;"

Insert: "ESTABLISHING A FORMULA FOR DETERMINING ASSESSMENTS FOR
FIRE PROTECTION;"

2. Page 5, line 24.

Strike: "shall"

Insert: "has the authority to"

Following: "appoint"

Insert: "state or federal employees as"

Following: "necessary"

Strike: "1"

3. Page 5, line 25.

Strike: "SUBJECT TO CONFIRMATION BY THE LOCAL COUNTY GOVERNMENT."

Insert: "for meeting department firefighting responsibilities"

4. Page 5, line 26.

Following: "7)." "

Insert: "Local county governments shall retain sole authority for
designation and appointment of county fire chiefs or
firewardens."


5. Page 8, line 16.

Committee Vote:

Yes 14, No 2

Fiscal Note Required ____

611317SC.hjd


3/23/07

Following: "waste."

Insert: "(1)"

6. Page 8, line 18.

Following: "areas"

Insert: "within the forest areas"

7. Page 8, following line 25.

Insert: "(2) A sawmill located within or contiguous to forest lands may not accumulate in one pile sawdust in excess of an amount resulting from the sawing of 500,000 feet log scale of sawlogs. However, a larger sawdust pile may be accumulated when there is no reasonable danger of fire from the sawdust pile and a permit for the additional accumulation is granted by the department. If burning is the disposal method elected, each sawdust pile must be prepared for burning by cribbing the base of each pile with slabs and burned in accordance with rules adopted by the department."

8. Page 9, line 16.

Strike: "\$30"

Insert: "\$45"

9. Page 9, line 17.

Strike: the first "20"

Insert: "25"

10. Page 13, following line 10.

Insert: "NEW SECTION. Section 29. Formula to set landowner assessments for fire protection. (1) The department shall, pursuant to 76-13-207, set the annual fire assessment fee due from landowners pursuant to Title 76, chapter 13, parts 1 and 2. The total of all statewide landowner assessments may be no greater than one-third of the amount appropriated by the legislature to fund the protection costs.
(2) The individual assessments must be established using the following criteria:
(a) Each person or corporation who is responsible for fire protection pursuant to 76-13-108 and 76-13-201 and for whom the department provides fire protection must be assessed a per capita landowner fee. The total per capita landowner assessments statewide from persons or corporations who own 20 acres or less of land for which the department provides protection must be as close as administratively possible to 60% of the total private landowner assessments.
(b) A person or corporation who owns more than 20 acres of land for which the department provides protection shall, in

addition to the fee assessed pursuant to subsection (2)(a), pay a per-acre fee for each whole acre that the person owns in excess of 20 acres. The total of all assessments statewide from persons or corporations that own more than 20 acres must be as close as administratively possible to 40% of the total private landowner assessments.

(3) (a) Except as provided in subsection (3)(b), the per capita and per-acre fees must remain in effect for subsequent years.

(b) The department shall reset the per capita and per-acre fees whenever it is necessary to obtain up to one-third of the amount appropriated by the legislature.

(c) Whenever the department resets the fees pursuant to subsection (3)(b), it shall do so in accordance with 76-13-201(2)."

Renumber: subsequent sections

11. Page 13, line 18.

Strike: "Section"

Insert: "Sections"

Following: "16"

Insert: " and 29"

Strike: "is"

Insert: "are"

12. Page 13, line 19.

Strike: "section"

Insert: "sections"

Following: "16"

Insert: "and 29"

13. Page 14, following line 16.

Insert: "COORDINATION SECTION. Section 34. Coordination instruction. If Senate Bill No. 51 and [this act] are passed and approved and [this act] repeals 76-13-109, then the section in [this act] amending 76-13-104 is void and 76-13-104 must be amended as follows:

"76-13-104. Functions of department -- rulemaking. (1) The department has the duty to ensure the protection of land under state and private ownership and to suppress wildfires on land under state and private ownership. No fees may be collected for this purpose except fees provided for in 76-13-201.

(2) (a) The department shall adopt rules to protect the natural resources of the state, especially the natural resources owned by the state, from destruction by fire and for that purpose, in declared emergencies, may employ personnel and incur other expenses when necessary.

(b) The department may adopt and enforce reasonable rules for the purpose of enforcing and accomplishing the provisions and

purposes of part 2 and this part.

(3) The duty imposed on the department under this section is not exclusive to the department and does not absolve private property owners or local governmental fire agencies organized under Title 7, chapter 33, from any fire protection or suppression responsibilities.

(4) The department may give technical and practical advice concerning forest, range, water, and soil conservation and the establishment and maintenance of woodlots, windbreaks, shelterbelts, and forest fire protection.

(2)(5) The department shall cooperate with all public and other agencies in the development, protection, and conservation of the forest, range, and water resources in this state.

(6) The department shall establish and maintain wildland fire control training programs.

~~(3) The department shall require an owner or operator to provide a notification prior to conducting forest practices as provided in 76-13-131, shall adapt as necessary any procedure used for notification with respect to an agreement under 76-13-408 to ensure that the operator provides information on the location of the forest practices in relation to watershed features, and shall conduct onsite consultations as provided for in 76-13-132.~~

(7) The department shall appoint firewardens in the number and localities that it considers necessary, subject to confirmation by the local county government, and shall adopt rules prescribing the qualifications and duties of firewardens that are in addition to those provided in [section 7 of Senate Bill No. 145].

(8) By October 1, 2008, the department shall adopt rules addressing development within the wildland-urban interface, including but not limited to:

(a) best practices for development within the wildland-urban interface; and

(b) criteria for providing grant and loan assistance to local government entities to encourage adoption of best practices for development within the wildland-urban interface."

Renumber: subsequent section

- END -

HOUSE OF REPRESENTATIVES

Roll Call Vote

NATURAL RESOURCES COMMITTEE

DATE ~~2007 JUN 21~~ 3-21-07 BILL NO. SB 51 MOTION NO. 2
MOTION: Amendment 005101.akl

NAME	AYE	NO	ABSENTEE
REP. WALTER MCNUTT, CHAIR	✓		
REP. RALPH HEINERT, VICE CHAIR	✓		
REP. RON ERICKSON, VICE CHAIR	✓		
REP. DUANE ANKNEY		✓	
REP. DEBBY BARRETT	✓		
REP. JILL COHENOUR		✓	
REP. SUE DICKENSON		✓	
REP. BETSY HANDS		✓	
REP. GORDON HENDRICK	✓		
REP. CAROL LAMBERT	✓		
REP. SCOTT MENDENHALL	✓		
REP. JP POMNICHOWSKI		✓	
REP. JOHN ROSS	✓		
REP. VERONICA SMALL-EASTMAN		✓	
REP. KENDALL VAN DYK		✓	
REP. CHAS VINCENT	✓		

9-7

HOUSE OF REPRESENTATIVES

Roll Call Vote

NATURAL RESOURCES COMMITTEE

DATE 3-21-07 BILL NO SB 145 MOTION NO. 2
MOTION: Amendment 014504.akl

NAME	AYE	NO	ABSENTEE
REP. WALTER MCNUTT, CHAIR	✓		
REP. RALPH HEINERT, VICE CHAIR	✓		
REP. RON ERICKSON, VICE CHAIR	✓		
REP. DUANE ANKNEY	✓		
REP. DEBBY BARRETT		✓	
REP. JILL COHENOUR	✓		
REP. SUE DICKENSON	✓		
REP. BETSY HANDS	✓		
REP. GORDON HENDRICK		✓	
REP. CAROL LAMBERT	✓		
REP. SCOTT MENDENHALL		✓	
REP. JP POMNICHOWSKI	✓		
REP. JOHN ROSS	✓		
REP. VERONICA SMALL-EASTMAN	✓		
REP. KENDALL VAN DYK	✓		
REP. CHAS VINCENT		✓	

12-4

HOUSE OF REPRESENTATIVES

Roll Call Vote

NATURAL RESOURCES COMMITTEE

DATE 3-21-07

BILL NO SB145

MOTION NO. 9

MOTION: Be concurred in as Amended

NAME	AYE	NO	ABSENTEE
REP. WALTER MCNUTT, CHAIR	✓		
REP. RALPH HEINERT, VICE CHAIR	✓		
REP. RON ERICKSON, VICE CHAIR	✓		
REP. DUANE ANKNEY	✓		
REP. DEBBY BARRETT	✓		
REP. JILL COHENOUR	✓		
REP. SUE DICKENSON	✓		
REP. BETSY HANDS	✓		
REP. GORDON HENDRICK	✓		
REP. CAROL LAMBERT	✓		
REP. SCOTT MENDENHALL		✓	
REP. JP POMNICHOWSKI	✓		
REP. JOHN ROSS	✓		
REP. VERONICA SMALL-EASTMAN	✓		
REP. KENDALL VAN DYK	✓		
REP. CHAS VINCENT		✓	

14-2

**AUTHORIZED
COMMITTEE PROXY**

I request to be excused from the Natural Resources

Committee because of other commitments. I desire to leave my proxy vote with:

Ron Erickson

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT

AYE NO

178	X	
248	X	

BILL/AMENDMENT

AYE NO

Rep. Sue Rickerson
(Signature)

Date 12/21/07

**AUTHORIZED
COMMITTEE PROXY**

I request to be excused from the Not Reg

Committee because of other commitments. I desire to leave my proxy vote with:

Graham

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT	AYE	NO	BILL/AMENDMENT	AYE	NO
178	X				
278	X				

Rep. [Signature]
(Signature)

Date 3/21/07

AUTHORIZED COMMITTEE PROXY

I request to be excused from the Not Req

Committee because of other commitments. I desire to leave my proxy vote with:

Encl

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT AYE NO

178	X	

BILL/AMENDMENT AYE NO

Rep. J. P. M. Nicholson
(Signature)

Date 3/24/07

Montana House of Representatives Visitors' Register

NATURAL RESOURCES COMMITTEE

Date 3-21-07

Bill Nos. SB 178 + 248 Sponsor(s) Sen. Lewis + Sen. Story

PLEASE PRINT

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[illegible]

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.